

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-02 INR-10  
L-03 NSAE-00 NSC-05 PA-02 SP-02 SS-15 ICA-20  
IO-14 ACDA-12 TRSE-00 HA-05 MCT-01 /109 W  
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R 071125Z JUL 78  
FM USMISSION USBERLIN  
TO SECSTATE WASHDC 7210  
AMEMBASSY BONN  
INFO AMEMBASSY BERLIN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
AMCONSUL BREMEN  
AMCONSUL DUSSELDORF  
AMCONSUL FRANKFURT  
AMCONSUL HAMBURG  
AMCONSUL MUNICH  
AMCONSUL STUTTGART  
USMISSION USNATO

UNCLAS SECTION 1 OF 2 USBERLIN 1614

E O 11652: NA  
TAGS: PGOV AKB BQG  
SUBJ: TRIAL OF 2 JUNE MOVEMENT TERRORISTS: ELEVENTH AND TWELFTH  
WEEKS: TILL MEYER ON TRIAL AGAIN

REFS: (A) USBER 1523; (B) USBER 1232 (NOTAL); (C) USBER 1239;  
(D) USBER 1288; (E) USBER 1437

SUMMARY: TRIAL OF RECENTLY RECAPTURED TERRORIST DEFENDANT  
TILL MAYER RESUMED; HOWEVER, FOR THE MOMENT HIS TRIAL HAS BEEN  
SEPARATED FROM THAT OF OTHER 2 JUNE MOVEMENT MEMBERS. MAIN TRIAL  
CONTINUED TO ADVANCE, SLOWLY AND WITH MUCH TIME SPENT ON SIDE  
ISSUES. END SUMMARY.

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1. THE 18TH SESSION OF THE TRIAL, ON 27 JUNE, WAS LARGELY DEVOTED  
TO SEPARATING THE PROCEDURES AGAINST THE RECENTLY RECAP-  
TURED DEFENDANT TILL MAYER FROM THE OTHER DEFENDANTS. A  
SEPARATE TRIAL WAS OPENED BY THE 1ST PENAL SEANT AGAINST  
MEYER AND SUSPENDED RIGHT AFTER OPENING. THE TRIAL WILL  
BE INTERRUPTED UNTIL A DECISION HAS BEEN MADE IN THE EX-

CLUSION PROCEEDINGS AGAINST MEYER'S DEFENSE COUNSEL MUELLERHOFF, WHO IS SUSPECTED OF COMPLICITY IN MEYER'S ESCAPE. THE COURT WAS COMPELLED TO BEGIN A NEW TRIAL AGAINST MEYER BECAUSE THE 30-DAY TIME LIMIT ALLOWED FOR SUSPENSION OF A TRIAL HAD BEEN EXCEEDED. MEYER LAST ATTENDED THE TRIAL ON 24 MAY. THE TRIAL AGAINST MEYER WILL BE INCORPORATED INTO THE MAIN TRIAL AT A DATE NOT YET KNOWN. UNTIL THEN THE 1ST PENAL SENAT INTENDS TO RETARD THE MAIN TRIAL BY INTEROGATING ONLY A FEW WITNESSES TO A LIMITED EXTENT IN ORDER TO PREVENT A REPETITION OF EXTENSIVE HEARINGS AFTER MEYERS HAS RE-JOINED THE MAIN TRIAL. THE COURT THUS HEARD ONLY ONE WITNESS DURING THE 18TH SESSION.

2. DURING A BREAK AT THE SESSION, THE PRESIDING JUDGE ANNOUNCED THAT SAFETY CONTROLS WOULD BE INTENSIFIED IN THE FUTURE AND THAT ALL PARTICIPANTS IN TRIALS HELD IN THE SAFETY AREA OF THE COURT BUILDING, E.E. JUDGES, PROSECUTORS AND DEFENSE COUNSELS, WILL BE BODILY SEARCHED AT THE ENTRANCE TO THE SAFETY AREAS IN THE COURT ROOMS.

3. THE OPENING OF THE 19TH SESSION OF THE MAIN TRIAL ON 4 JULY WAS DELAYED BY A CONFLICT CONCERNING THE SEARCH OF DEFENSE COUNSELS. EARLY ON 4 JULY, THE PRESIDENT OF THE AMTSGERICHT AS THE "LANDLORD" OF THE MOABIT CRIMINAL UNCLASSIFIED

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COURT, TOGETHER WITH THE PRESIDENT OF THE KAMMERGERICHT HAD ISSUED THE ORDER THAT DEFENSE COUNSELS, BUT NOT JUDGES AND PROSECUTORS, WOULD BE SEARCHED FOR WEAPONS AND OTHER DANGEROUS OBJECTS PRIOR TO ENTERING THE "SAFETY" COURT ROOM NO 700. GEUS, THE PRESIDING JUDGE, HAD PREVIOUSLY EXPRESSED THE OPINION AT THE 18TH SESSION THAT SEACHES, IF THEY WERE ORDERED, WOULD APPLY TO ALL TRIAL PARTICIPANTS. HE WAS "ENTIRELY SURPRISED" AND OBVIOUSLY ANNOYED BY THE DECISION OF HIS COLLEAGUES.

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4. WHILE THE COURT-APPOINTED DEFENSE COUNSELS DID NOT OBJECT TO THE SEARCHES AND WERE PERMITTED TO ENTER THE COURT ROOM, THE COUNSELS PERSONALLY CHOSEN BY THE ACCUSED REJECTED THE SEARCH AND REMAINED OUTSIDE THE COURT ROOM. THE 19TH SESSION COULD NOT COMMENCE BECAUSE ONE OF THE ACCUSED HAD NO DEFENSE COUNSEL AT ALL. GEUS THEREUPON SUCCEEDED IN HAVING THE SEARCH ORDER SUSPENDED FOR 4 JULY. HE RECOMMENDED THAT THE DEFENSE COUNSELS FILE A COMPLAINT WITH THE SENATOR FOR JUSTICE.

5. AT THE BEGINNING OF THE SESSION GEUS ANNOUNCED THAT HE HAD RELIEVED DIETMAR HOHLA, COURT APPOINTED DEFENSE COUNSEL FOR RONALD FRITZSCH, FROM HIS OFFICIAL UNCLASSIFIED

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APPOINTMENT BECAUSE HOHLA WOULD BE PREVENTED FROM EXERCISING HIS DUTIES FOR SOME TIME AS A CONSEQUENCE OF THE INJURY SUSTAINED IN A TERRORIST ATTACK SEVERAL WEEKS AGO.

6. THE ACCUSED ANDREAS VOGEL GROSSLY INSULTED THE PRESIDING JUDGE AND SUCCEEDED WITH HIS WISH TO BE EXCLUDED FROM THE TRIAL. HE WILL BE RE-ADMITTED AS SOON AS HE CREDIBLY ASSURES THAT HE WOULD NO LONGER DISTURB THE SESSIONS. PRIOR TO HIS EXCLUSION VOGEL HAD FILED THE REQUEST THAT THE VISITOR CELLS BE SEARCHED FOR POSSIBLE "BUGS" FEDERAL PROSECUTOR VOELZ REFERRED TO VOGEL'S REQUEST AS BEING MOTIVATED BY "ABNORMAL DISTRUST." THE

REQUEST WAS DENIED.

7. DURING THE 19TH SESSION THREE EMPLOYEES OF THE SPANAU WEAPONS SHOP ALLEGEDLY ROBBED BY THE ACCUSED WERE HEARD. NEWSPAPER ACCOUNTS OF THEIR TESTIMONY WERE CONTRADICTORY. SOME REPORTS STATED THAT THE WITNESSES COULD IDENTIFY THOSE ACCUSED; OTHERS THAT THEY COULD NOT.

8. THE NEXT SESSION IS SCHEDULED FOR TUESDAY, 11 JULY.  
GEORGE

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## Message Attributes

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